

PATENT

Attorney Docket No. PRC-002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Spiers, William A.  
INTERNATIONAL APPLICATION NO.: PCT/GB04/04173  
INTERNATIONAL FILING DATE: September 28, 2004  
U.S. APPLICATION NO.: 10/573,872  
TITLE: Blood Co-Processing For Contingent Autologous  
Leukocyte Transplantation

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Sir:

This paper is responsive to the Notification of Missing Requirements mailed from the U.S. Patent and Trademark Office on September 1, 2006, in relation to the above-identified patent application. A copy of the Notification of Missing Requirements accompanies this paper.

In response to the Notification, Applicant submits a Declaration in compliance with 37 C.F.R. 1.497(a) and (b), as well as a check in the amount of \$65.00 to cover the surcharge under 37 C.F.R. 1.492(h) at the small entity rate for late submission of the declaration. Applicant believes that this submission completes the requirements for acceptance of the above-identified application under 35 U.S.C. 371. However, if any further fee is required to maintain pendency of the above-identified application, please charge the fee to Attorney's Deposit Account No. 50-1721.

10/16/2006 LLANDGRA 00000073 10573872

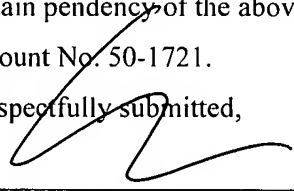
01 FC:2617 65.00 DP

Date: October 10, 2006  
Reg. No. 39,061

Tel. No.: (617) 261-3150  
Fax No.: (617) 261-3175

BOS-1014918 v1

Respectfully submitted,

  
Christine C. Vito  
Attorney for the Applicants  
Kirkpatrick & Lockhart Nicholson  
Graham LLP  
State Street Financial Center  
One Lincoln Street  
Boston, Massachusetts 02111-2950

TRANSMITTAL  
FORM

Application Serial Number	10/573,872
Filing Date	March 29, 2006
First Named Inventor	Spiers
International Application No.	PCT/GB04/04173
International Filing Date	September 28, 2004
Attorney Docket No.	PRC-002
Confirmation No.	9917

## ENCLOSURES (check all that apply)

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.)<br><br><input checked="" type="checkbox"/> Check Attached in the amount of \$65.00<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> Preliminary<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson<br>including Drawings<br>[Total Sheets ____]<br><br><input type="checkbox"/> Petition for Extension of Time<br><br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Form PTO-1449<br><input type="checkbox"/> Copies of IDS Citations<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Sequence Listing submission<br><input type="checkbox"/> Paper Copy/CD<br><input type="checkbox"/> Computer Readable Copy<br><input type="checkbox"/> Statement verifying identity of above | <input checked="" type="checkbox"/> Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (2 pgs.)<br><input type="checkbox"/> Formal Drawing(s)<br><br><input type="checkbox"/> Request For Continued Examination (RCE) Transmittal<br><br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application (2 pgs.)<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> CD(s) for large table or computer program<br><br><input type="checkbox"/> Amendment After Allowance<br><br><input type="checkbox"/> Request for Certificate of Correction<br><input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences<br><br><input type="checkbox"/> Appeal Brief (in triplicate)<br><br><input type="checkbox"/> Status Inquiry<br><br><input checked="" type="checkbox"/> Return Receipt Postcard<br><br><input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8<br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)<br><br>Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (1 pg.) |
|--|---|--|

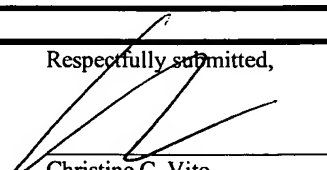
## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Kirkpatrick & Lockhart Nicholson  
Graham LLP  
State Street Financial Center  
One Lincoln Street  
Boston, MA 02111-2950  
Tel. No.: (617) 261-3100  
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## SIGNATURE BLOCK

Date: October 10, 2006  
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Respectfully submitted,

  
Christine C. Vito  
Attorney for the Applicant  
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# FEE TRANSMITTAL

## FY 2006

Complete if Known

Application Serial Number	10/573,872
Filing Date	March 29, 2006
First Named Inventor	Spiers
International Application No.	PCT/GB04/04173
International Filing Date	September 28, 2004
Confirmation No.	9917
Attorney Docket No.	PRC-002

## METHOD OF PAYMENT

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-1721.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☒ Applicant claims small entity status.

## FEE CALCULATION

## 1. FILING/SEARCH/EXAM/SIZE FEES

## Large Entity

Fee (\$)	Fee Description	Fee Paid
300	Utility filing fee	
500	Utility search fee	
200	Utility exam fee	
250	Utility size fee (each add'l 50 pgs. over 100)	
200	Design filing fee	
100	Design search fee	
130	Design exam fee	
250	Design size fee (each add'l 50 pgs. over 100)	

	Number Filed	Number Extra	Rate	Amount
Total Claims	- 20 =		x \$ 50.00 =	
Independent Claims	- 3 =		x \$200.00 =	

☐ Multiple Dependent Claim(s), if any \$360.00 =

TOTAL:

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$ ) 0.00

## 2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 50.00 =	
Indep.	-	=	x \$200.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$360.00 =	

TOTAL: (\$ )

SMALL ENTITY DISCOUNT: (\$ )

SUBTOTAL (2) (\$ ) 0.00

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	65.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1020	510	Extension for reply within third month	
1590	795	Extension for reply within fourth month	
2160	1080	Extension for reply within fifth month	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1000	500	Request for oral hearing	
400	400	Petitions to the Commissioner (Gp. I)	
200	200	Petitions to the Commissioner (Gp. II)	
130	130	Petitions to the Commissioner (Gp. III)	
180	180	Submission of Information Disclosure Statement	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
130	65	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			

SUBTOTAL (3) (\$ ) 65.00

SUBTOTAL (1) 0.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 65.00

TOTAL (\$ ) 65.00

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 Boston, MA 02111-2950

Express Mail Mailing Label No.: EV899585611US



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/573,872	William Arthur Spiers	PRC002

INTERNATIONAL APPLICATION NO.

PCT/GB04/04173

I.A. FILING DATE	PRIORITY DATE
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09/28/2004

09/30/2003

022832

KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP  
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 ONE LINCOLN STREET  
 BOSTON, MA 02111-2950

CONFIRMATION NO. 9917

371 FORMALITIES LETTER



\*OC000000020266583\*

COPY

Date Mailed: 09/01/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/29/2006
- Request for Immediate Examination filed on 03/29/2006
- U.S. Basic National Fees filed on 03/29/2006
- Priority Documents filed on 03/29/2006

The applicant needs to satisfy supplemental fees problems indicated below.

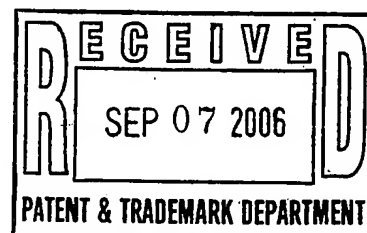
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.



ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/573,872	PCT/GB04/04173	PRC002

FORM PCT/DO/EO/905 (371 Formalities Notice)

COPY